IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2293 OF 2006
IN
WRIT PETITION NO.5763 OF 2004

Janabai w/o R.J.Bhandari & Ors. .. Applicants.
Vs.
Dr.Ramesh Dattatreya Pandit & Ors. .. Respondents.

Mr.A.Y.Bookwala i/b Jose George for the applicants.
Mr.Ryan D'Souza i/b A.S.Rai for respondent no.4.

CORAM : D.B.BHOSALE, J.

DATED : 22ND SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the applicants and respondent no.4.

2. In this civil application, the applicants have made the following prayer:

> "(a) that this Hon'ble Court be pleased to direct respondent no.3 Court Receiver to recover from Respondent nos.1 and 2 the possession of 850 sq. yds. as demarcated on the plan dated 7.7.2004 and to retain the same in the custody of the Court Receiver till the disposal of the Writ Petition."

3. I heard learned counsel for the parties for quite sometime and they fairly stated that I need not record the reasons for disposing of the civil application and they have agreed for the following order:

. Respondent nos.1 and 2 shall remain in possession till disposal of writ petition no.5763 of 2004 and/or subject to the orders of the court passed in the writ petition. The court receiver to continue and shall appoint respondent nos.1 and 2 as his agents without any security or royality the plot being the open plot. However, it shall be the responsibility of respondent nos.1 and 2 to guard property at their cost.

. Civil application is disposed of.

(D.B.Bhosale, J.)